

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

Bail Appl..No. 5067 of 2007()

CRIME NO.462/07 OF ERNAKULAN NORTH POLICE STATION

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: PETITIONER/1ST ACCUSED:

DANESH, S/O. LUIZ,
THALIYANADATH HOUSE, AYYAPPANKAVU, ERNAKULAM.

BY ADV. SRI.VIJU ABRAHAM
SRIJOY C. PAUL

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A. NO. 5067 of 2007

Dated this the 20th day of August, 2007

ORDER

Application for regular bail. The petitioner is the 1st accused. He faces allegations, inter alia, under Sec.307 of the IPC. I have already adverted to the facts in greater detail in the order dated 3/8/07 in B.A.No.4655/07. The petitioner's application for regular bail was dismissed with observations by the said order. The petitioner continues in custody from 11/7/07. The co-accused were granted bail subject to conditions.

2. The learned counsel for the petitioner prays that the petitioner may now be enlarged on bail subject to appropriate conditions. The learned Public Prosecutor prays that the Investigator may be granted some further time and bail may be granted subject to appropriate conditions. I am satisfied, in the facts and circumstances of this case, that the petitioner can be granted bail subject to appropriate conditions. This order

has to be read in continuation of the order dated 3/8/07. I am hence not adverting to the facts in any greater detail.

3. In the result:

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 25/8/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(iv) The petitioner shall not enter the jurisdiction of the

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Ernakulam North Police Station for a period of two months from the date of their release, except for the purpose of complying with Condition No.(iii) above.

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(R. BASANT, JUDGE)